

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

AWILDA IGLESIAS-SOLIS

Plaintiff

v.

IPR PHARMACEUTICALS

Defendant

Civil No.: 11-01137 (SEC)

Title VII, ADEA, SEPARATION PAY,  
TORTS

TRIAL BY JURY

**RESPONSE TO "PROPOSED DISCOVERY PROTOCOL AND PLAN AND REQUEST  
FOR ENTRY OF ORDER"**

COMES NOW IPR Pharmaceuticals, Inc. (hereinafter "IPR"), through the undersigned attorneys, and states and prays:

1. On April 23, 2011, Plaintiff unilaterally filed a 20-page long "Proposed Discovery Protocol and Plan and Request for Entry of Order." (See Docket No. 10.) IPR's attorneys had neither reviewed nor discussed the "Proposed Order" prior to its filing, much less consented to the conditions set forth therein.

2. As ordered by this Court and required by Fed. R. Civ. Pro. 26(f), the parties' attorneys are scheduled to meet and confer to "discuss any issues about preserving discoverable information...and develop a proposed discovery plan," among others, on May 3, 2011. At that time, the parties will entertain any issues regarding disclosure and discovery of electronically stored information, including the forms in which it shall be produced and include it in their proposed discovery plan. See Fed. R. Civ. P. 26(f)(3)(C).

3. In light of the above, IPR respectfully requests that "Plaintiff's Proposed Discovery Protocol and Plan and Request for Entry of Order" be stricken from the record

as premature and because it does not reflect the agreement between the parties' as far as a proposed discovery plan or "protocol."

WHEREFORE, IPR respectfully requests from this Honorable Court to take notice of the above and strike "Plaintiff's Proposed Discovery Protocol and Plan and Request for Entry of Order" from the record.

WE HEREBY CERTIFY that on this same date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to Miguel A. Cuadros-Pesquera, Esq. and William A. Meléndez-Menéndez, Esq.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 2<sup>nd</sup> day of May, 2011.

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